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EXAMINER				
BURD, KEVIN MICHAEL				
ART UNIT		PAPER NUMBER		
2611				
NOTIFICATION DATE		DELIVERY MODE		
01/05/2010		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket_ip@pillsburylaw.com

Response to Arguments

Applicant's arguments received 12/21/2009 have been fully considered but they are not persuasive. The objection to the drawings is maintained. Applicant points to the timing diagrams as disclosing the steps of the recited method. However, the timing diagrams do not disclose the steps recited in the claims. Figure 5 appears to disclose a timing diagram of the spread spectrum signal 202 and the PN code 104. The method steps are not disclosed. Figure 7 discloses a table of data but any step in a method that uses the data is not found in the figures. Applicant states the final office action provides no authority for the proposition that timing diagrams are insufficient to illustrate a claimed method. As stated in the previous office action, 37 CFR 1.83(a) requires the drawing in a nonprovisional application must show every features of the invention specified in the claims. The figures of the instant application do not disclose these features. Correction is required.

The amendment to figure 4 overcomes the previous drawing objection since the Prior Art legend has been added.

The previous claim objection was not addressed in the after final response. It is unclear where the process, recited in the pending claims, recites being tied to another statutory class such as a particular machine where the use of the machine involves more than insignificant extra-solution activity or where the process discloses transforming the underlying subject matter to a different state or thing. Correction is required.

Applicant's remarks regarding the rejection of the claims under 35 USC 103 have been fully considered but they are not persuasive. The prior art discloses correlating the signals. During the correlation, a portion of the data is correlated with a portion of a stored code to determine the partial accumulations. This takes place when the codes are repeated as stated in the previous rejection of the claims. The previous office action discloses the non-redundant portions and the added redundant portions are stored then used to correlate the received signals. The digital components of the circuit are shown in figure 2. The codes are stored in these components. The limitations of claims 18-20 as taught by the combination are disclosed in the rejection. The correlation process using the stored values is described. The adding limitation is described and the correlation of the spread signal and the PN codes is described.

For these reasons and the reason stated in the previous office action are maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Burd whose telephone number is (571) 272-3008. The examiner can normally be reached on Monday - Friday 9 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David C. Payne can be reached on (571) 272-3024. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kevin M. Burd/
Primary Examiner, Art Unit 2611
12/29/2009